

*Memorandum*UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHRISTIAN STOKES,

Plaintiff,

-against-

RONALD LUSKER, MARILYN KOCHER LUSKER,  
EBERT & ASSOCIATES, STEVEN EBERT, ESQ.,  
ANDREWS BUILDING CORP., MALLEY GROUP, ERIC  
MALLEY, 85-87 MERCER STREET ASSOCIATES, INC.,

Defendants.

Index No.: 08 CV 3667  
(CM) (DFE)**CONSENT TO CHANGE  
ATTORNEYS**IT IS HEREBY CONSENTED THAT, Cantor, Epstein & Mazzola, LLP, 49 West 37<sup>th</sup>Street, New York, New York 10018 be substituted as attorneys of record for defendants Andrews  
Building Corp., and 85-87 Mercer Street Associates, Inc., in the above entitled action in place and  
stead of the undersigned attorney as of the date hereof.Date: New York, New York  
June 9, 2008STEMPEL BENNETT CLAMAN & HOCHBERG, P.C.  
*Outgoing Attorneys for Defendants Andrews  
Building Corp., and 85-87 Mercer Street  
Associates, Inc.*By: *James R. Bennett*James R. Bennett  
675 Third Avenue  
New York, New York 10017  
212-681-6500USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 6/30/08NOT ORDERED  
*Celia M. Kelly*  
6-26-08

ANDREWS BUILDING CORP.

By: [Signature]

STATE OF NEW YORK )

SS:

COUNTY OF NEW YORK)

On the 17 day of June in the year 2008 before me, the undersigned, personally appeared Natali Hernandez personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



[Signature]

Notary Public

85-87 MERCER STREET ASSOCIATES, INC.

By: [Signature]

STATE OF NEW YORK )

SS:

COUNTY OF NEW YORK)

On the 17 day of June in the year 2008 before me, the undersigned, personally appeared Johannes Girardon, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



[Signature]

Notary Public

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

CHRISTIAN STOKES,

Plaintiff,

vs.

CIVIL ACTION  
NO. 08 CV 3667  
(McMahon, J.)

AFFIDAVIT PURSUANT TO  
LOCAL CIVIL RULE 1.4

RONALD LUSKER, MARILYN KOCHER LUSKER,  
EBERT & ASSOCIATES, STEVEN EBERT, ESQ.,  
ANDREWS BUILDING CORP., MALLEY GROUP,  
ERIC MALLEY, 85-87 MERCER STREET  
ASSOCIATES, INC.,


Defendants.

X

JAMES R. BENNETT, ESQ., of STEMPEL BENNETT CLAMAN & HOCHBERG, P.C., being  
duly sworn, deposes and says:

1. I am a member of STEMPEL BENNETT CLAMAN & HOCHBERG, P.C., corporate  
counsel to 85-87 Mercer Street Associates (The "Cooperative").
2. On or about April 25, 2008, the Cooperative, along with its managing agent, Andrews  
Building Corp., (together with the Cooperative referred to as the "Cooperative  
Defendants") were served with a Summons and Complaint in this action.
3. The undersigned counsel appeared and executed a Waiver of Service of Summons Form  
on behalf of the Cooperative Defendants in order to ensure preservation of their rights.
4. Since our initial appearance, the Cooperative Defendants have retained separate litigation  
counsel, Cantor, Epstein and Mazzola, LLP, to represent their legal interests in the above-  
captioned matter.

5. Based on the foregoing, together with the accompanying fully executed Consent to Change Attorneys form, I respectfully request that this Court permit Cantor, Epstein and Mazzola, LLP to be substituted as counsel for the undersigned counsel in the above-captioned matter.

  
JAMES R. BENNETT, ESQ.  
Stempel, Bennett, Claman & Hocheberg, P.C.  
675 Third Avenue  
New York, New York 10017

Sworn to me before me this

23<sup>rd</sup> day of June, 2008



Notary Public

CHRIS O'MALLEY  
Notary Public, State of New York  
No. 010M8119351  
Qualified in Queens County  
Commission Expires November 29, 2008